

1 Thomas

2 that metal shelf, but luckily there were no  
3 computers on the shelf to fall and kill me  
4 (indicating).

5 MR. WHITTON: Move to strike the  
6 non-responsive portions.

7 Q. The counter where you bought the  
8 items, was that in the back of the store?

9 A. Yes.

10 Q. If you were standing at the  
11 entrance to the store looking into the store,  
12 would this counter be in the back towards the  
13 right side, the middle side or the left side?

14 A. In the back on the right side. It  
15 was empty over there, so we said let's just,  
16 you know, get it over with so we can go eat I  
17 said to my husband.

18 Q. After you purchased these items,  
19 you and your husband began walking together to  
20 leave?

21 A. No. My husband was here in the  
22 front. I was over here behind my husband and  
23 we were going like so we can enter from the  
24 door.

25 Q. Were you following your husband?

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2 A. Yes. Yes.

3 Q. Were you and your husband walking  
4 down the same aisle after you purchased but  
5 before the incident?

6 A. The same.

7 Q. How far ahead was your husband from  
8 you when this incident happened?

9 A. I was over here and my husband was  
10 over here (indicating) but luckily my husband  
11 didn't get hit because if he did they would  
12 have killed him because he has heart condition.  
13 In my case I got hit, but I was able to  
14 tolerate the pain. I don't have heart trouble.

15 MR. WHITTON: Move to strike the  
16 non-responsive portion.

17 Q. Listen to my question.

18 While walking down the aisle, how  
19 far was your husband ahead of you before this  
20 incident happened?

21 A. He was way ahead of me. I was over  
22 here, but they hit me over here (indicating).  
23 I thought it was an earthquake.

24 MR. SEARS: If you could, tell her  
25 to answer the question that is asked.

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2 MR. WHITTON: Move to strike the  
3 non-responsive portion.

4 Q. I'm going to give you a chance to  
5 tell me the whole story.

6 A. Okay.

7 Q. But to have a nice reading record,  
8 I want to do it one step at a time.

9 A. I understand.

10 Q. You and your husband were walking  
11 toward the front of the store to leave, right?

12 A. Yes.

13 Q. At some point you were knocked  
14 down, right?

15 A. Yes.

16 Q. Did you see what happened to you  
17 before you were knocked down?

18 A. Well, I was walking in order to  
19 leave. I didn't know they were going to hit  
20 me.

21 Q. Did you feel something first or did  
22 you see it first?

23 A. I felt the strike when they pushed  
24 me because you don't even push a dog like that.

25 MR. WHITTON: Move to strike the

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2 non-responsive portion.

3 Q. Where on you were you pushed?

4 A. (Indicating). They destroyed my  
5 hand nerves.

6 MR. SEARS: If you can -- what part  
7 of the body --

8 MR. WHITTON: Move to strike the  
9 non-responsive portion.

10 THE WITNESS: All this  
11 (indicating).

12 MR. SEARS: Would that be the right  
13 arm?

14 THE WITNESS: The right one. Yes.

15 Q. Is it on your right arm that you  
16 were pushed?

17 A. I was like this and in this  
18 position as I was walking and they pushed me to  
19 the wall and I'm still hurting on the metal.

20 Q. As you were walking, just before  
21 you were pushed, what was on your right-hand  
22 side, a wall or something else?

23 A. It was a metal wall. There were  
24 things on it.

25 Q. What was on your left side as you

1 Thomas

2 were walking just before this incident?

3 A. There was nothing there. There was  
4 nothing there, but they came suddenly because  
5 they were chasing the thief.

6 MR. WHITTON: Move to strike the  
7 non-responsive portions.

8 Q. On your left side, at some point  
9 was there a counter or display or something  
10 else?

11 A. I think there were. I just buy my  
12 stuff and I want to leave and go eat.

13 Q. You said you think there were.  
14 My question is were what, counters?

15 A. Where I got injured?

16 Q. No.

17 When you were walking and you had  
18 the metal wall to your right side, what was on  
19 the left side of you?

20 A. I'm assuming there was stuff there,  
21 but I didn't really observe.

22 Q. I don't want you to guess. If you  
23 don't recall then you just say so.

24 A. I didn't notice.

25 Q. The first moment that you felt a

1 Thomas

2 push, what part of your body was touched?

3 A. My hand (indicating).

4 Q. Were you touched on your entire  
5 right arm and hand?

6 A. As I was pushed, I thought I got  
7 scared for my head.

8 Q. When you were pushed, where on your  
9 body were you pushed; your back, your arm, your  
10 head or somewhere else?

11 A. The entire hand starting from here  
12 and even up until now I'm in pain and it  
13 reaches elsewhere, too (indicating).

14 MR. WHITTON: First, move to strike  
15 the non-responsive portions.

16 Let the record reflect the witness  
17 indicated her right arm and shoulder  
18 area.

19 Q. When you were pushed, what happened  
20 to you?

21 A. I fell down and I was screaming.

22 Q. When you fell down, did you fall  
23 forward or to a side or something else?

24 A. I fell on my right side and then I  
25 was yelling to my husband, help, help. They

1 Thomas

2 injured me.

3 MR. WHITTON: Move to strike the  
4 non-responsive portions.

5 Q. Was it one person or more than one  
6 person that was by you when you were pushed and  
7 fell?

8 A. I'm assuming it was more than one  
9 person because of the way they hit me and then  
10 they were chasing after the thief and they left  
11 me there like a dog.

12 MR. WHITTON: Move to strike the  
13 non-responsive portion.

14 Q. Did you see any of these people  
15 before you fell on your right side?

16 A. No. They came suddenly running  
17 like horses.

18 Q. Did you ever learn where they came  
19 from?

20 A. From the store.

21 Q. Did you ever learn where in the  
22 store they came from?

23 A. No.

24 Q. After you had fallen down, did you  
25 get a chance to see the people that were

1 Thomas

2 running?

3 A. No because they continued running  
4 after the thief from that side, the right side.

5 Q. Your right side?

6 A. No.

7 I mean from the back of me. They  
8 went like this (indicating) because I said, you  
9 know, my husband hold me up and they gave me  
10 chair and then they brought me a glass of  
11 water.

12 MR. WHITTON: Read it back.

13 (Whereupon, the referred to answer  
14 was read back by the Reporter.)

15 Q. When you said they went like this,  
16 were these people going up a different aisle  
17 past you?

18 A. I was over here and they were  
19 running to get that thief, the lady who was  
20 next to me.

21 Q. Did the people that went running to  
22 get this lady, did they run past you or did  
23 they go down a different aisle?

24 A. Same -- yes. The same aisle.

25 Q. The first person was this lady



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2 thief; is that right?

3 A. They told me afterwards about it  
4 when the police came and they put the lady in  
5 prison.

6 Q. Did you see the female thief at any  
7 time?

8 A. No. I didn't see her, but when  
9 they took me to this little room -- the police  
10 took me there she was in a little room and they  
11 were asking her questions. I don't know  
12 otherwise. I really didn't want to see her.

13 Q. How many people did you see chasing  
14 the thief?

15 A. Well, I don't know because as they  
16 hit me they continued to run after her, but I  
17 don't know how many people, but I know it  
18 was -- it was like a strong hit.

19 Q. You did not see who actually hit,  
20 is that right?

21 A. I didn't see their faces because I  
22 had fallen down.

23 MR. WHITTON: Could you read two  
24 answers back the question and answer.

25 (Whereupon, the referred to

1 Thomas

2 question and answer was read back by the  
3 Reporter.)

4 THE WITNESS: But they were big  
5 strong guys.

6 MR. SEARS: No question.

7 Q. There is no question.

8 Who was the first person that came  
9 to your assistance?

10 A. My husband.

11 Q. He helped you get back up?

12 A. They picked me up with the lady. I  
13 don't know if she was the director there, but I  
14 was in a lot of pain.

15 MR. WHITTON: Move to strike the  
16 none response I have portions.

17 Q. Other than your husband, were there  
18 other people that helped you get up?

19 A. No. My husband.

20 Q. Did other people come over to you  
21 beside your husband?

22 A. Yes. There was a lady there. I  
23 think she was the director. I'm not sure.  
24 They brought me a bottle of water, but you  
25 don't have to tell him about the bottle of

1 Thomas

2 water.

3 Q. When the lady came over, were you  
4 already up or were you still on the floor?

5 A. My husband put me up. My husband  
6 picked me up and then my husband helped me sit  
7 on the chair that they brought me there to sit  
8 on until the ambulance arrived.

9 Q. When your husband was helping you  
10 up, was this female worker there or did she  
11 come after your husband helped you up?

12 A. She came after. I think she might  
13 have brought me the chair -- actually, I don't  
14 remember.

15 Q. Somebody brought you a chair?

16 A. Yes.

17 Q. And you sat in the chair?

18 A. Yes.

19 Q. They brought you some water?

20 A. Yes. Danasi water, I think.

21 Q. Were you given anything else by the  
22 Circuit City people?

23 A. No.

24 Q. Did any of the Circuit City people  
25 talk to you?